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Report

Report subject: S/2008/1810 - Unit 1, Sussex House, Newton Road - Change of Use to Church and Associated Café Use

Report to: Planning and Regulatory Panel

Date: 17 March 2009

Author: Tom Wippell

1. **REASON FOR REPORT TO MEMBERS**

The application was presented to the City Area Committee on 5th February, with Planning Officers recommending that the scheme should be refused (please see attached committee report at appendix 1).

2. The City Area Committee Members wish to advise the Planning and Regulatory Panel that in their opinion, the proposal should be approved for the following reasons:

"Whilst it was acknowledged that an industrial unit would be lost, it was considered that the creation of a church/religious meeting hall with associated café would ensure the reuse of a building which is currently unused, would provide a better location for the proposed use, and would result in some new employment. Consequently, as no highway detriment would result, in this particular instance, it is considered that the benefit of the development outweighs the need for the industrial unit."

3. Members also wish to indicate that if the scheme was approved, the following types of conditions should be placed on the use:

- a) Normal 3 year consent limit
- b) Restrict the use of the building to a church/religious hall with associated café
- c) Request a travel plan which would encourage sustainable transport
- d) The provision of cycle racks on site
- e) Have the building insulated in a manner which would not result in noise being audible from surrounding residential properties

4. Without prejudice to the attached officer's report and recommendation of refusal, based on the above, officers suggest that the following conditions and reasons may be appropriate:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

2. The unit shall not be used for any purposes other than as a Church/religious hall with associated café (including any purpose within Classes D1 of the Town and Country Planning Use Classes Order 1987, or any Order revoking and re-enacting that Order, with or without modification).

Reason: To limit the impact on surrounding amenities and highways safety.

3. The development, hereby approved, shall not be occupied until a Green Travel Plan has been submitted to, and approved in writing by, the Local Planning Authority together with a timetable for its implementation. No part of the development shall be occupied prior to the implementation of those parts identified in the approved Green Travel Plan as capable of being implemented prior to occupation. Those parts of the approved Green Travel Plan that are identified therein as being capable of implementation after occupation shall be implemented in accordance with the timetable contained therein and the approved Green Travel Plan shall continue to be implemented in its entirety as long as any part of the development is occupied.

Reason: To minimise the number of vehicular movements associated with the building, hereby approved, and to reduce the total number of vehicular movements to the site in the interests of sustainable development.

4. Prior to the commencement of development, details of a covered cycle parking facility shall be submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the agreed details and thereafter retained.

Reason: In order to secure the provisions of appropriate facilities for cyclists.

5. Prior to the commencement of development, a scheme to mitigate noise from the intensified use of the property shall be submitted to and approved in writing by the Local Planning Authority, and implemented in accordance with the agreed details and thereafter retained.

Reason: In the interests of residential amenity.

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Application Number:	S/2008/1810		
Applicant/ Agent:	GERARD KELLY ARCHITECTS		
Location:	UNIT 1 SUSSEX HOUSE NEWTON ROAD SALISBURY SP2 7QA		
Proposal:	CHANGE OF USE OF UNIT 1 FROM LIGHT INDUSTRIAL (B1) TO CHURCH AND ASSOCIATED CAFÉ USE.		
Parish/ Ward	FISHERTON/BEM V		
Conservation Area:		LB Grade:	
Date Valid:	23 October 2008	Expiry Date	18 December 2008
Case Officer:	Mr T Wippell	Contact Number:	01722 434554

REASON FOR REPORT TO MEMBERS

Councillor Walsh has requested that this item be determined by Committee due to the controversial nature of the application.

SITE AND ITS SURROUNDINGS

Sussex House is an industrial building which has been divided into 4 units, situated at the end of Newton Road in Churchfields industrial estate. Unit 1 consists of a two-storey office towards the front, a warehouse section at the rear and off-street parking provision for 12 vehicles on an adjacent hardstanding. The unit possesses B1/ B2 use and currently lies vacant.

THE PROPOSAL

The proposal is for a change of use of Unit 1 from industrial (Class B1/ B2) to a Church (Class D1) with associated café and office space. The Church will be relocated from its current meeting place of St Mark's School, where there have been complaints from local residents over amplified music.

The applicant expects the Church to create 3.5 full-time jobs. Off-street parking will be provided for 12 vehicles.

PLANNING HISTORY

None relevant to this application

CONSULTATIONS

Environmental Health- No adverse comments

Highways- The allocated parking spaces for this unit is 12 spaces, whilst the maximum recommended parking level for places of worship of this size is 75. Although the proposed change of use is likely to encourage vehicles to park on Newton Road, in my view the main use will be on Sundays and in the evening, where there will be less vehicles associated with industrial use needing parking. Therefore I recommend that no highway objection be raised.

Economic Dev- (Not withstanding the long term vision aims for Churchfields) we would seek to protect the existing employment uses. I am not sure that there are any uses on the estate which could not be broadly classed as employment, but certainly a church couldn't be. As the estate stands at the moment, we would seek to protect all employment on the site, including this property.

Forward Planning The proposal is for the change of use of unit 1 from light industrial (B1) to church (D1) and associated café use (A3). Although the applicant suggests the change of use to D1 - non residential institutions and leisure (which the latter in itself would fall under use class D2). The application is for a main

worship and meeting space of approximately 245m², ancillary offices of 88m² and community café and separate offices at 88m². The applicant states that the precise need of the church is not yet fully determined pending a study of the precise need of the church as to its own office requirements. The applicant also suggests that the worship times involve amplified music, which the applicant suggests makes it difficult for the church to meet in primarily residential areas. This application should be taken as for a church (D1) with ancillary uses of offices and café.

Under Local Plan policy PS1 it appears that a place of worship and community facilities should be acceptable. However, the use of the unit is currently classes B1 (office) – 223m² and B8 (storage and distribution) – 279m². It is situated within an Employment area known as 'Churchfields Industrial Estate'. The Employment Land Review is key evidence that should be used to inform both the Local Development Framework and planning applications. This identifies Churchfields Industrial Estate as an employment site that is strategically important for south Wiltshire and as such it is strategically important in terms of economic development for the whole Salisbury economy not just the local area. It contains 180 businesses. The uses include manufacturing, transport, construction, wholesale, services and finance.

The key issue is therefore loss of employment land and as the site is outside of any Housing Policy Boundary the application should be assessed against policy E16 of the local plan. Although the applicant suggests that a similar number of jobs may be created there is little information provided about the jobs and the start up space. This is of concern as the jobs would be created from the ancillary uses. In addition the question has to be asked whether this is an 'acceptable alternative use'. As the site is predominantly traditional employment use it is the policy view that the use of the site as a church is not a suitable alternative use in this location and therefore is contrary to policy E16.

If alternatively the applicant is suggesting that there would be a loss of jobs, the site needs to be properly marketed as an employment generating use prior to any permission being approved.

In addition, the Employment Land Review identifies the Salisbury Vision as a key document to look at. The objectives of the vision are based on:

- Creating a better diversity
- A greater retail and cultural offer
- A more buoyant economy supported by higher skill levels
- More diverse housing
- Higher quality public realm and integrated transport
- A celebration of character
- An enhanced landscape and natural environment.

The applicant and landowner should also be made aware of the Salisbury Vision. This was consulted on widely and forms a key evidence document for the LDF. The Vision identifies Churchfields as a key regeneration project within the city and that the site should be identified as a residential led, mixed use scheme. The LPA is at an advanced stage in the preparation of its core strategy, which will include the allocation of key strategic employment and housing sites. Churchfields has been identified, both within the Issues and Options consultation and the Preferred Options consultation (Black book) and subsequent magazine as a residential led mixed use scheme. This now begins to gather some weight and should be considered.

Other policies that the application should be assessed against include G1 which requires, amongst other issues 'achieving an overall pattern of land uses which reduce the need to travel and support increase use of public transport, cycling and walking'. This is further supported by policy TR1. The applicant has made no attempt to try and address this issue. Indeed they even suggest that 'sufficient parking spaces for present and future church members are available on and around the site, again at precisely those times when church meetings would occur'. This implies that the majority of church goers would drive to the church. The applicant should make some attempt to support more sustainable modes of transport such as introducing bicycle parking or encouraging public transport. A travel plan should be requested if approved.

Forward Planning Recommendation:

In accordance with Section 54A of the Town and County Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004 planning permission should be refused on the following basis:

- The use is contrary to E16 in this location, due to an inappropriate use on a traditional employment site.
- No attempt has been made to implement sustainable forms of transport.

If this application was approved firm conditions or informative should be applied to ensure the ancillary uses do not become the predominant use.

REPRESENTATIONS

Advertisement	Yes
Site Notice displayed	Yes
Departure	No
Neighbour notification	Yes
Third Party responses	No

MAIN ISSUES

1. Principle
2. Loss of Employment
3. Highways Safety/ Traffic Generation

POLICY CONTEXT

Policies G1, G2, E16, TR1, PS1, PPS1- PPG13- PPG4-	Salisbury District Local Plan Sustainable development Transport Industrial, commercial development and small firms
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PLANNING CONSIDERATIONS

Principle

Local Plan Policy E16 states that: 'On land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.'

In recognition of the continuing demands to locate other activities within employment areas, proposals for other uses on employment sites will be considered where the alternative use is acceptable in principle and

provides a similar number and range of job opportunities. Proposals involving the significant net loss of employment opportunities in a town or main settlement or the loss of an employment use that is important to the rural economy will be resisted. The Council will consider making exceptions to this only where there is clear evidence that the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.'

Local Plan Policy PS1 states that: 'The development of health, social services, places of worship and community facilities will be permitted within or adjoining the settlements. Proposals to redevelop or enlarge existing facilities which are located outside settlements will be permitted where the proposed development would take place within the existing boundaries of the site.'

Planning Policy Statement 1 - Delivering sustainable development- This relates to the planning and delivery of sustainable communities, including sustainable economic development. The Government has outlined four aims for sustainable development, one of which is "the maintenance of high and stable levels of economic growth and employment."

Planning Policy Guidance 13 – Transport- This relates to the promotion of sustainable transport through the development of accessibility by public transport, walking and cycling to reduce the need to travel, particularly by car. It goes further to state that "development comprising jobs, shopping, leisure and services should not be designed and located on the assumption that the car will represent the only realistic means of access for the vast majority of people."

Planning Policy Guidance 4 - Industrial, commercial development and small firms- This looks at the locational factors involved for such developments and states that in certain areas land that was once used for industry, but which is now vacant or underused should be considered for redevelopment for other uses.

In support of the scheme, the applicant has stated that he expects to employ up to 3.5 staff in the coffee shop (opening 10am – 5pm), which is comparable to the amount of employment generated with the previous use. Evidence has also been submitted to show that there are numerous examples of vacant units within the Churchfields and Ashfield industrial estate (11 of which have been vacant for over 11 months).

The applicant also states that noise generation will no longer cause disruption to residential properties (due to the unit's distance away from residential properties), adequate parking is available for staff (with plenty of on-street parking provision for visitors), the unit is within walking distance to residential areas (which will reduce the need for car travel) and the community coffee shop will provide a valuable service for the local workforce.

Summary of Employment Issues

The main issue to consider in this application is whether approving the scheme would create a precedent which would result in the further loss of B1/ B2 uses throughout Churchfields (ie-lead to a 'domino effect'), and whether this would undermine the long-term suitability of the Industrial Estate. It must now be considered whether the applicant's justification into the benefits of the proposed use outweigh the loss of an industrial unit in this location.

By maintaining the current function of the unit with an industrial B1/B2 use, a much wider range of job opportunities could potentially be provided. Whilst it is acknowledged that there are a number of vacant units with the immediate area (and the '*credit crunch*' may limit further employment generation opportunities in the near future), and 2 jobs may be created in the coffee shop, it is considered more important to ensure that the long-term suitability of the property/ wider area is not undermined, and that the units strategic value and contribution to the local economy in the long term is maintained.

The Local Planning Authority recognises the need for different types of employment/ community facilities in the district. However, a strategic view of the site in the longer term needs to be taken and the cumulative effect of this change of use considered. Members should note that if the coffee shop were to 'fold' or was to become unviable in the future, the unit would be left without any form of employment generation, as the remaining Church use would not support alternative forms of employment.

When considering the applicant's justification into the scheme, it is judged that the benefits resulting from the change of use to Church/ Associated coffee shop should not be given such weight as to outweigh the loss of this industrial unit.

Overall it is considered that a change away from an industrial unit would result in the site having a less sustainable long-term use, and this could undermine the overall employment use of Churchfields Industrial Estate, and officers do not feel that enough evidence has been provided to support the view that change of use of the unit to a Church is the only suitable use for the site.

Highways Safety/ Sustainable Location

Sufficient off-street parking will be available for the change of use, and highways raise no objections to the scheme. It is considered that there will be no impact on highways safety with this development.

In terms of the locational qualities of the site, the Local Planning Authority has considered the location of the Church against the sustainability principles contained within Local Plan and National Guidance. It is judged that whilst the Church is sited away from the main City Centre (i.e.- away from sustainable transport links such as bus routes), due to the small-scale nature of the unit, and its location within walking distance of residential areas on the edge of the City, the additional traffic/ trips generated by the scheme will not necessarily be significant enough to warrant refusal.

Conclusion

On balance, and when considering the applicant's justification into the Change of Use, it is judged that the benefits resulting from the change of use to Church do not outweigh the loss of the site for industrial employment purposes.

RECOMMENDATION: Refuse

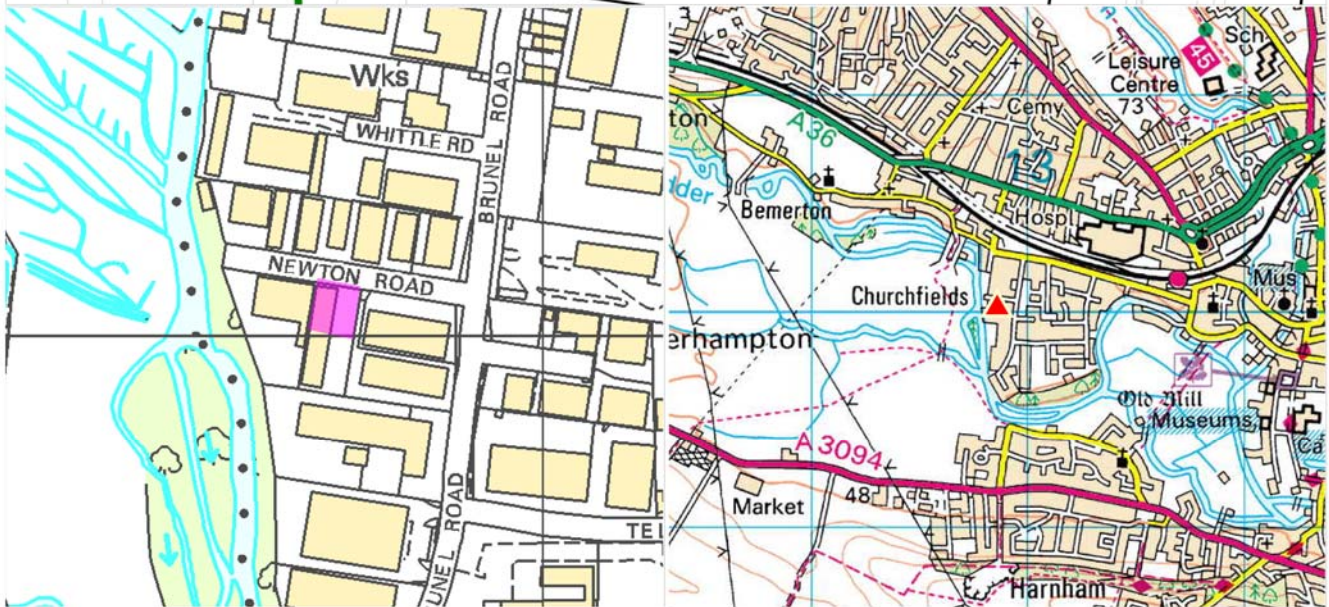
For the following reasons:

The change of use of this unit from B1/ B2 industrial to Church and associated coffee shop is considered to result in the loss of a unit within an important employment area of the City. Adequate provision for alternative long-term employment with a similar number of job provisions has not been made, and it is judged that the benefits resulting from the change of use to Church and associated coffee shop do not outweigh the loss of the site for industrial employment purposes. Consequently, the proposal is therefore contrary to Policy E16 of the adopted Salisbury District Local Plan.

CHANGE OF USE OF UNIT 1 FROM LIGHT INDUSTRIAL (B1) TO CHURCH AND ASSOCIATED CAFÉ USE.

S/2008/1810

Site Visit:



UNIT 1 SUSSEX HOUSE NEWTON ROAD

SCALE: NTS

DATE: 06/03/2009 08:03:07

DEPARTMENT: Planning

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